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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 IGNACIO TORRES,

14 Defendant.

CASE NO. CR09-016-JCC

PROPOSED FINDINGS OF FACT  
AND DETERMINATION AS TO  
ALLEGED VIOLATION OF  
SUPERVISED RELEASE

15 INTRODUCTION

16 I conducted a hearing on an alleged violation of supervised release in this case on October 2,  
17 2012. The United States was represented by Matt Diggs, and defendant was represented by Jennifer  
18 Horwitz. The proceedings were recorded on cassette tape.

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20 CONVICTION AND SENTENCE

21 Defendant had been sentenced on or about July 10, 2009, on charges of distribution of  
22 cocaine. The Hon. John C. Coughenour of this court sentenced defendant to 15 months in custody,  
23 followed by three years of supervised release.

1 ALLEGED VIOLATION AND  
2 DEFENDANT'S ADMISSION

3 In an application on September 18, 2012, USPO Jerrod Akins alleged that defendant violated  
4 the conditions of supervised release by failing to report a change in his residence. Defendant had  
5 vacated his residence, left no forwarding information, and his cell phone would not accept calls. He  
6 had therefore basically broken off contact with the Probation Office. At the hearing on October 2,  
7 2012, defendant admitted this violation, waived any hearing as to whether it had occurred, and  
8 consented to having the matter set for a disposition hearing before Judge Coughenour.

9 RECOMMENDED FINDINGS AND CONCLUSIONS

10 Based upon the foregoing, I recommend the court find that defendant has violated the  
11 conditions of his supervised release in the respect alleged, and conduct a disposition hearing. That  
12 hearing is presently set for October 19, 2012 at 9:00 a.m.

13 The court detained defendant pending disposition. He has not cooperated with the Probation  
14 Office. In addition, the officer discovered evidence which gives rise to concerns that defendant has  
15 resumed his ties with gang members. Defendant has therefore not met his burden of showing, by  
16 clear and convincing evidence, that if released he would make his court appearances and would not  
17 pose a danger to other persons and the community.

18 DATED this 2nd day of October, 2012.

19 s/ John L. Weinberg  
20 United States Magistrate Judge

21 cc: Sentencing Judge : Hon. John C. Coughenour  
22 Assistant U.S. Attorney : Matt Diggs  
23 Defense Attorney : Jennifer Horwitz  
24 U. S. Probation Officer : Jerrod Akins  
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